

AMENDED IN ASSEMBLY APRIL 11, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1530

Introduced by Assembly Member Lieber

February 23, 2007

An act to add Section 105206 to the Health and Safety Code, relating to pesticide poisoning.

LEGISLATIVE COUNSEL'S DIGEST

AB 1530, as amended, Lieber. Pesticide poisoning.

Existing law establishes standards for the handling and use of pesticides and for determining the hazards posed by pesticides to worker safety. Existing law imposes various reporting requirements on physicians and local health officers when there are known or suspected instances of pesticide poisoning. Under existing law, worker reentry into areas treated by pesticides determined to be hazardous to worker safety may be restricted by whether pesticide residue levels on treated plants are determined by scientific analysis not to be a significant factor in cholinesterase depression or other health effects.

This bill would require a laboratory that performs cholinesterase testing on a specimen of human blood, with regard to determining pesticide residue levels for those purposes, to electronically report specified information on every person tested to the Office of Environmental Health Hazard Assessment, the Office of Pesticide Regulation, and the Occupational Health Branch and the Environmental Health Laboratory Branch of the *State* Department of Public Health. The bill would also require the Office of Environmental Health Hazard Assessment to ~~immediately~~ share this information, in an electronic format, with the appropriate county agricultural commissioner; *and* the

local health officer, ~~and the health care provider that ordered the test.~~
The bill would also impose other related reporting requirements and
would require *the Office of Environmental Health Hazard Assessment*
to maintain this information as a reporting system. The bill would also
~~require the Office of Environmental Health Hazard Assessment office~~
to prepare an annual report on the cholinesterase testing program.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 105206 is added to the Health and Safety
2 Code, to read:
3 105206. (a) A laboratory that performs cholinesterase testing
4 pursuant to Section 12981 of the Food and Agricultural Code or
5 Section 6728 of Title 3 of the California Code of Regulations on
6 a specimen of human blood drawn in California shall electronically
7 report the information specified in subdivision (b) on every person
8 tested to the Office of Environmental Health Hazard Assessment
9 (OEHHA), the Department of Pesticide Regulation, and to the
10 Occupational Health Branch and the Environmental Health
11 Laboratory Branch in the State ~~department~~ *Department* of Public
12 Health. *OEHHA shall manage this reporting system in*
13 *coordination with existing or evolving electronic reporting systems.*
14 *Alternate reporting methods may be prescribed for smaller*
15 *laboratories lacking the capability of electronic reporting. In these*
16 *cases the same information shall be transmitted by paper reports*
17 *to the receiving agency, which shall enter the data into the central*
18 *database. OEHHA shall immediately share this information, in*
19 *an electronic format, as needed, with the appropriate county*
20 *agricultural commissioner, local health officer, and the health care*
21 ~~*provider that ordered the test.*~~ *and the local health officer, who*
22 *shall conduct followup investigations on an as needed basis.*
23 (b) The testing laboratory shall report all of the following
24 information in complying with subdivision (a):
25 (1) The test results in International Units per milliliter of sample
26 (IU/mL).
27 (2) The purpose of the test, including, but not limited to,
28 baseline, 30-day, ~~periodic, and suspected illness or periodic testing,~~
29 pursuant to the requirements of Section 6728 of Title 3 of the

1 California Code of Regulations, *or evaluation of suspected*
2 *pesticide illness.*

3 ~~(3) The name, gender, and, if available, social security number~~

4 (3) *The name and gender* of the person tested.

5 (4) The person's birth date, if the analyzing laboratory has that
6 information, or if not, the person's *stated* age.

7 (5) The person's address, if the analyzing laboratory has that
8 information, or if not, a telephone number by which the person
9 may be contacted.

10 (6) The person's job title or occupation *if germane to pesticide*
11 *exposure or suspected pesticide illness.*

12 (7) The name, address, and telephone number of the health care
13 provider or medical supervisor that ordered the analysis.

14 (8) The name, address, and telephone number of the analyzing
15 laboratory.

16 (9) The name, address, and telephone number of the person's
17 employer, *if applicable.*

18 (10) The accession number of the specimen.

19 (11) The time and date that the sample was collected from the
20 patient, and the time and date the analysis was performed.

21 (c) In addition, the testing laboratory shall report to OEHHA,
22 the State Department of Public Health, and the Department of
23 Pesticide Regulation other information in its possession or that
24 may come into its possession that directly relates to the
25 cholinesterase test or to the identity, location, medical management,
26 or environmental management of the person tested.

27 ~~(d) The employer of a person tested pursuant to subdivision (a)~~
28 *Section 6728 of Title 3 of the California Code of Regulations* shall
29 ensure that the person receives a copy of the cholinesterase test
30 results or any recommendations from the medical supervisor within
31 14 days of receiving the information.

32 (e) All information reported pursuant to this section shall be
33 confidential, as provided in Section 100330, except that OEHHA,
34 the Department of Pesticide Regulation, or the State Department
35 of Public Health may share the information for the purpose of
36 surveillance, case management, investigation, environmental
37 assessment, environmental remediation, or abatement with the
38 appropriate county agricultural commissioner and local health
39 officer.

1 (f) The State Public Health Officer may assess a fine up to five
2 hundred dollars (\$500) per person per case against any laboratory
3 that knowingly fails to meet the reporting requirements of this
4 section.

5 (g) OEHHA may review the cholinesterase test results, in
6 consultation with the Department of Pesticide Regulation and the
7 State Department of Public Health, and may provide an appropriate
8 medical or toxicological consultation to the medical supervisor.
9 OEHHA may request additional medical information relevant to
10 the cholinesterase test results from the medical supervisor of the
11 person tested.

12 (h) In consultation with the Department of Pesticide Regulation
13 and the State Department of Public Health, OEHHA shall prepare
14 an annual report on the cholinesterase testing program. The report
15 may evaluate the program's effectiveness, assess program
16 compliance and compliance with this section, make
17 recommendations to the Legislature, and examine other issues it
18 deems necessary. OEHHA shall make the report publicly available
19 on its Internet Web site.